

**ADJOURNED COUNCIL MEETING
CITY OF WATERTOWN
January 12, 2004
7:00 P.M.**

MAYOR JEFFREY A GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY ROBERT J. SLYE**

Mayor Graham opened the adjourned meeting.

The following resolution was presented:

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown owns and operates the Watertown International Airport which provides commercial air service, and

WHEREAS on November 19, 2001, the President and Congress enacted the Aviation and Transportation Security Act which established the Transportation Security Administration as a Federal Agency, and

WHEREAS under the Aviation and Transportation Security Act, the Administrator of the Transportation and Security Administration was charged to carry out responsibilities relating to civil aviation security including responsibility for supervision of screening passengers and property at airports and for ordering the deployment of law enforcement personnel authorized to carry firearms to ensure passenger safety and national security, and

WHEREAS each Airport Authority is required to establish an Air Transportation Security Program that provides a law enforcement presence and capability to ensure the safety of passengers, and

WHEREAS the Transportation Security Administration, in a cooperative effort with the Federal Security Director, is proposing an agreement to reimburse the City of Watertown to deploy sufficient law enforcement officers to ensure the safety of passengers and counter risks to transportation security at the Watertown International Airport,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Reimbursement Agreement between the Transportation Security Administration and the City of Watertown regarding law enforcement services at the Watertown International Airport, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

(Rules waived by motion of Councilman Clough, seconded by Councilman Bradley and carried with all voting in favor thereof.)

Sidewalk Special Assessment Program

Mayor Graham opened the discussion remarking that if the Council desires to re-address this issue, now is the time.

Councilman LaBouf explained that he had received several emails and calls concerning the matter and basically the comments were that people hoped the Council would reconsider the “swat team” enforcement of the program and only look at what would be dangerous and unsafe.

Mayor Graham stated that there would be an advantage for a moratorium on inspections and the mailing out of formal citations. He suggested more of a compromise and the possibility of notifying all City residents that under the City Charter they have a responsibility to keep their sidewalks in good condition. He stated that he would rather see a non-threatening approach. He discussed the fact that the new program does not seem fair to all taxpayers and suggested that all residents be offered these favorable rates to space the payments out over 10 years.

Councilman Bradley asked how a policy like this would work if there is no way to enforce it. He remarked that he believes that the “early negatives” may have blinded Council. He commented that he has spoken to property owners who had their walks replaced last year and who will have their walks replaced this year and all the remarks are positive.

Mayor Graham responded that the enforcement is written in the City Charter.

Attorney Slye advised Council that the good rates can only be used in a special assessment district, such as was done for this program. He also explained that people who kept their sidewalks up in a special assessment district would not be liable for any of the additional costs. Commenting on the moratorium suggestion, Attorney Slye said that the

moratorium is almost self-imposed by the fact that the City Charter requires the Council to act if they want a new special assessment district. If no action were taken to do so, once the other half of the current district is completed, there would be no more sidewalk program until Council voted in a new special assessment district.

Mrs. Corriveau commented that staff would be looking for direction from the Council if they want to continue the program. If it were to continue, inspections would have to be done in other areas of the City this summer in an effort to move forward in the following year. She also commented that until staff receives direction, they wouldn't be out doing inspections.

Councilman Clough asked Mr. Hayes and Mr. Pilon if they had plans to start inspections in new areas after completing the current district.

Mr. Hayes commented that this is a joint project with Engineering. He also commented that it is a labor-intensive project, which would be difficult to finish this summer.

Mr. Pilon explained that half the properties does not mean half the linear feet. He stated that it is hard to put a time frame on it, as there are too many variables.

Councilman Clough asked what would happen in the current district if the program were eliminated.

Mayor Graham commented that the issue before Council is the decision to place a moratorium on the program. If we suspended the program, the current district would work itself through under the existing law.

Mayor Graham questioned the equipment costs in the capital budget and asked if these purchases needed to be made if the program was curtailed.

Discussion followed on renting as opposed to buying certain pieces of equipment. Mr. Hayes explained that some of the equipment could be rented if the program was not going to be continued.

Councilwoman Burns asked if he would recommend that.

Mr. Hayes remarked that while he would suggest renting some equipment, he would like to take a look at it before committing to it since some of the equipment could be used on other projects.

Mayor Graham commented that he would suggest only the equipment for this project be deleted, not equipment that could be used for other things.

Councilwoman Burns asked if the City would now revert back to the old complaint-driven system whereby residents pay for the sidewalks immediately and not over a 10 year period. She asked if there was any concern that people who had been required to fix

their sidewalks would now report others in other areas of the City. She remarked that she would like to see the current program continue stating that elimination of the program is not the solution.

Mayor Graham remarked that he was not averse to re-addressing the issue after this portion of the project has been completed.

MOTION WAS MADE BY MAYOR GRAHAM TO PLACE AN INDEFINITE MORATORIUM ON INSPECTIONS AND NOTIFICATIONS, TO DELETE EQUIPMENT PURCHASES SPECIFICALLY FOR USE ON THE PROJECT, AND TO INITIATE EVALUATIONS OF THE SIDEWALK PROGRAM BY CITY STAFF AFTER THE PRESENT SECTION HAS BEEN COMPLETED AS WELL AS ASKING THE CITY ATTORNEY TO STUDY THE ISSUE OF A CITY-WIDE SPECIAL ASSESSMENT DISTRICT.

MOTION WAS SECONDED BY COUNCILMAN LABOUF

Councilwoman Burns asked if the reference to the equipment needed to be in the motion.

Mayor Graham responded that he didn't object to having it taken out of the motion.

Mayor Graham withdrew that part of the motion.

Councilman LaBouf withdrew his second to that portion of the motion.

The new motion reads as follows:

MOTION WAS MADE BY MAYOR GRAHAM TO PLACE AN INDEFINITE MORATORIUM ON INSPECTIONS AND NOTIFICATIONS AND TO INITIATE EVALUATIONS OF THE SIDEWALK PROGRAM BY CITY STAFF AFTER THE PRESENT SECTION HAS BEEN COMPLETED AS WELL AS ASKING THE CITY ATTORNEY TO STUDY THE ISSUE OF A CITY-WIDE SPECIAL ASSESSMENT DISTRICT.

MOTION WAS SECONDED BY COUNCILMAN LABOUF

Councilman Bradley commented that a lot of staff time went into this project before and questioned taking more time to do further research.

Mayor Graham responded that this research would not be much of an additional workload.

Councilwoman Burns remarked that if Council decided to move forward with the program, she would recommend a more common sense approach and not take such an aggressive stance. The next area should be based on need and heavy usage.

Councilman Clough asked about Ogdensburg's program.

Mr. Hayes explained that he believes that the City supplies the labor and the property owner pays the material costs.

Councilman Clough also commented that he agrees with Councilwoman Burns that to go back to the prior system is not the solution. He remarked that he would be willing to vote for a compromise.

Attorney Slye explained to the Council that the letters that went out to the property owners were not citations. The letters indicated that the sidewalk in front of their property needed repair.

Mrs. Corriveau advised Council that the City will cite property owners if complaints are received.

Attorney Slye reviewed the complaint driven process and referred to the City Code, which requires the abutting property owner to maintain the sidewalk.

Mrs. Corriveau suggested sending letters to all city property owners informing them of the financing option and asking them if they'd like to take advantage of it, rather than sending a notice that sidewalks must be repaired and asked Attorney Slye if a special assessment district could be determined by individual tax parcel numbers.

Attorney Slye commented that he believed the Council had to define a geographic area as a district to offer a special assessment, but he would check into it.

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING
MOTION AND CARRIED WITH ALL VOTING YEA EXCEPT
COUNCILWOMAN BURNS AND COUNCILMAN BRADLEY VOTING NAY**

(Rules were waived by Mayor Graham, seconded by Councilman Clough and carried with all voting in favor thereof except Councilwoman Burns and Councilman Bradley voting nay).

Watertown Trust

Mayor Graham advised Council that the some of the Trust by-laws have changed. One of the changes is that the City Manager would automatically serve on the Trust board. This appointment has always been by Council and he asked if the Council wishes to give up the right to appoint.

Councilwoman Burns remarked that it is appropriate for Council to have input on the appointment. She asked what authority the Council would have to object to this change.

Mayor Graham remarked that Council could pass a resolution indicating their objections to it. He also commented that he personally thinks that Council would want to maintain the ability to appoint whom they want.

Councilwoman Burns commented that having the City Manager serve on the board makes the most sense. However, that may not be the case in the future and Council should have the option to appoint whomever they choose.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED that the City Council objects to the change in the Watertown Trust by-laws whereby the Council would lose ability to make an appointment to the Trust Board.

BE IT FURTHER RESOLVED that the City Council will notify the Watertown Trust of this objection.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA.

(Rules waived by motion of Councilman Clough, seconded by Councilman Bradley and carried with all voting in favor thereof.)

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:08 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk